

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
JOHN WILLIAMS MILLER,

Plaintiff,

-v-

APPLE, INC.,

Defendant.
-----X

25 Civ. 1172 (JPC) (RFT)

ORDER

JOHN P. CRONAN, United States District Judge:

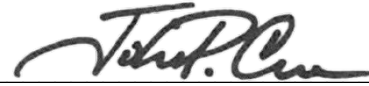
Plaintiff's motions for the undersigned's recusal, Dkt. 85, and disqualification, Dkt. 102, are denied. Plaintiff has not set forth any facts that would cause a reasonable person to find that the undersigned's "impartiality might reasonably be questioned," 28 U.S.C. § 455(a), or that raise a legitimate question of whether the undersigned has personal bias, prejudice, or an interest in the action, *id.* § 455(b).

The Court notes that Plaintiff has now filed a "notice" claiming that the undersigned is named as a Defendant in this action. Dkt. 101. To be sure, Plaintiff cannot mandate recusal or disqualification by naming the presiding judge as a Defendant in his case. *See Ezekwo v. OPMC (Office of Professional Misconduct) New York*, No. 21 Civ. 1274 (LTS), 2021 WL 3146239, at *2-3 (S.D.N.Y. July 23, 2021); *Abdul-Hakim Bey v. Hylton*, No. 12 Civ. 5875 (PAE), 2013 WL 6642034, at *4 (S.D.N.Y. Dec. 16, 2013); *see also Penn v. City of New York*, No. 19 Civ. 2106 (JMF), 2019 WL 2085135, at *1 (S.D.N.Y. May 13, 2019) ("It is well settled that a party may not procure a judge's recusal merely by suing the judge.").

The Clerk of Court is respectfully directed to close Docket Numbers 85 and 102.

SO ORDERED.

Dated: April 1, 2025
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is positioned above a horizontal line.

JOHN P. CRONAN
United States District Judge